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Order Regarding Motion for Sentence Reduction

## UNITED STATES DISTRICT COURT

NORTHERN

District of NEW YORK

UNITED STATES OF AMERICA

ORDER AND AMENDED JUDGMENT  
REGARDING MOTION FOR SENTENCE  
REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

V.

KOLONGI RICHARDSON

Case Number: 5:04-cr-397-002 (DNH)USM Number: 12856-052Date of Previous Judgment: January 5, 2006  
(Use Date of Last Amended Judgment if Applicable)Lisa A. Peebles, Esq.  
Defendant's Attorney

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months is **reduced to 87 months**.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 34Amended Offense Level: 32Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 121 to 151 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.


☐ Other (**explain**): \_\_\_\_\_**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated January 5, 2006 shall remain in effect.

**IT IS SO ORDERED.**April 25, 2008

Order Date

Effective Date (if different from order date)

  
 David N. Hurd  
 District Judge